

Appendix E

Greater Sage-Grouse Lease Sale Prioritization Sequence Consideration Factors

Background

The BLM's Authorized Officer, acting under the delegated authority of the Secretary of the Interior, has discretion to determine which public lands will be offered at a lease sale. The Mineral Leasing Act of 1920 (MLA), as amended, provides that lands subject to disposition under the Act "which are known or believed to contain oil or gas deposits may be leased by the Secretary." (30 U.S.C. § 226(a) (emphasis added)). When evaluating Expressions of Interest (EOIs) to lease particular parcels, pursuant to the Competitive Leases Handbook (H-3120-1), the BLM will plan for leasing and development in accordance with the objectives and provisions in the GRSG Plans.

The WO IM No. 2016-143 does not prohibit leasing or development in GHMA or PHMA as the GRSG Plans allow for leasing and development by applying prioritizing sequencing, stipulations, required design features, and other management measures to achieve the conservation objectives and provisions in the GRSG Plans. This guidance was not intended to direct the Authorized Officer to wait for all lands outside GRSG habitat areas to be leased or developed before allowing leasing within GHMAs, and then to wait for all lands within GHMAs to be leased before allowing leasing or development within the next habitat area (PHMA, for example).

The BLM Montana Dakotas State Office in conjunction with the North Central Montana District Office prioritized the leasing of oil and gas parcels in accordance with the WO IM No. 2016-143, in order to minimize further fragmentation and impacts to GRSG habitat or populations, and to seek greater certainty that project development can move forward.

The BLM took into account the EOIs, the GRSG plan decisions and goals, the prioritization sequence policy, other resource values, and workload capacity for this lease sale review.

Prioritization Sequence for Leasing in or near GRSG Habitats

The BLM considered the prioritization sequence for leasing in or near GRSG habitat as listed below.

1. Lands outside of GHMAs and PHMAs: first consider leasing EOIs for lands outside of PHMAs and GHMAs. These lands should be the first priority for leasing in any given lease sale.
2. Lands within GHMAs: consider EOIs for lands within the GHMAs, after considering lands outside of both GHMAs and PHMAs. When considering the GHMA lands for leasing, the BLM ensured that a decision to lease those lands would conform to the conservation objectives and provisions in the GRSG Plans (e.g., Stipulations).
3. Lands within PHMAs: consider EOIs for lands within PHMAs after lands outside of GHMAs and PHMAs have been considered, and EOIs for lands within GHMA have been considered. When considering the PHMA lands for leasing, the BLM ensured that a decision to lease those lands would conform to the conservation objectives and provisions in the GRSG Plans (e.g., Stipulations).

Factors to Consider While Evaluating EOIs in Each Category

In addition to the Prioritization Sequence above, the BLM considered the parcel specific factors identified in the IM listed below.

- Parcels immediately adjacent or proximate to existing oil and gas leases and development operations or other land use development before parcels that are not near existing operations.
- Parcels that are within existing active Federal oil and gas units or fields before parcels not within existing Federal oil and gas units or fields.
- Parcels in areas with higher potential for development (for example, considering the oil and gas potential maps developed by the BLM for the GRSG Plans) than parcels with lower potential for development. The Authorized Officer may conclude that an area has "higher potential" based on all pertinent information, and is not limited to the Reasonable Foreseeable Development (RFD) potential maps from Plans analysis.
- Parcels in areas of lower-value sage-grouse habitat or further away from important life history habitat features (for example, distance from any active sage-grouse leks) before parcels in higher-value habitat or closer to important life-history habitat features.
- Parcels within areas where law or regulation indicates that offering the lands for leasing is in the government's interest (such as in instances where there is drainage of Federal minerals, 43 CFR § 3162.2-2, or trespass drilling on unleased lands) but lease terms will include all appropriate conservation objectives and provisions from the GRSG Plans.
- EOI parcels in PHMA that existing surface disturbance does not exceed the disturbance and density caps and that development of valid existing rights (Solid Minerals, ROW) for approved-but-not-yet-constructed surface disturbing activities would not exceed the caps.
- BLM's workload capacity and other workload priorities as they determine Work Plans for the oil and gas leasing program.

Results

- 110 parcels/63,738 acres total (including non-habitat parcels)
- 49 parcels/40,465 acres in habitat for greater sage-grouse. Three of these parcels are in Category 1 (Legal Obligation) and as such are not included in the 'Total' numbers in the bottom right of the tables below.
- Two field offices (North Dakota (one parcel) and Butte (9 parcels)) are part of this sale but do not have any nominated parcels in sage-grouse habitat and therefore are not represented in the tables below.

Greater Sage-Grouse Habitat Prioritization Categories and Number of Nominated Parcels (and acres) Within Each Category

All Parcels—All Field Offices (except North Dakota and Butte) Combined					
Category #	Category Reference	Total Number of Parcels (Acres)			
Category 1	Legal Obligation	5 (1,180)			
Category 2	Non-Habitat	49 (18,648)			
Category #	Category Reference	Total Number of Parcels Per Habitat Type (Acres)			
		Restoration	General	Priority	Total
Category 3	Within Existing Disturbance/ Outside 3.1 mile from Lek	0	7 (5,685)	0	7 (5,685)
Category 4	Within Existing Disturbance/ Within 3.1 mile of Lek	0	9 (4,371)	11 (11,360)	20 (15,731)
Category 5	No Existing Disturbance/ Outside 3.1 mile from Lek/ High or Medium RFD	0	0	0	0
Category 6	No Existing Disturbance/ Outside 3.1 mile from Lek/ Low RFD	0	7 (4,926)	0	7 (4,926)
Category 7	No Existing Disturbance/ Within 3.1 mile of Lek/ High or Medium RFD	0	1 (560)	3 (3,659)	4 (4,219)
Category 8	No Existing Disturbance/ Within 3.1 mile of Lek/ Low RFD	0	4 (3,446)	4 (5,485)	8 (8,931)
	TOTAL Nominated Parcels	0	28 (18,988)	18 (20,504)	46 (39,492)

Billings Field Office—76 parcels total					
Category #	Category Reference	Total Number of Parcels (Acres)			
Category 1	Legal Obligation	1* (641) (Parcel is in PHMA, within 3.1 miles of a sage-grouse lek, and with no existing disturbance. Development potential considered 'medium'.)			
Category 2	Non-Habitat	40 (17,456)			
Category #	Category Reference	Total Number of Parcels Per Habitat Type (Acres)			
		Restoration	General	Priority	Total
Category 3	Within Existing Disturbance/ Outside 3.1 mile from Lek	0	6 (5,325)	0	6 (5,325)
Category 4	Within Existing Disturbance/ Within 3.1 mile of Lek	0	3 (1,118)	11 (11,360)	14 (12,478)
Category 5	No Existing Disturbance/ Outside 3.1 mile from Lek/ High or Medium RFD	0	0	0	0
Category 6	No Existing Disturbance/ Outside 3.1 mile from Lek/ Low RFD	0	6 (4,686)	0	6 (4,686)
Category 7	No Existing Disturbance/ Within 3.1 mile of Lek/ High or Medium RFD	0	0	3 (3,659)	3 (3,659)
Category 8	No Existing Disturbance/ Within 3.1 mile of Lek/ Low RFD	0	4 (3,446)	2 (4,722)	6 (8,168)
	TOTAL Nominated Parcels	0	19 (14,575)	16 (19,741)	36 (34,316)

Glasgow Field Office—2 parcels total					
<i>Category #</i>	<i>Category Reference</i>	<i>Total Number of Parcels (Acres)</i>			
Category 1	Legal Obligation	0			
Category 2	Non-Habitat	0			
<i>Category #</i>	<i>Category Reference</i>	<i>Total Number of Parcels Per Habitat Type (Acres)</i>			
		Restoration	General	Priority	Total
Category 3	Within Existing Disturbance/ Outside 3.1 mile from Lek	0	0	0	0
Category 4	Within Existing Disturbance/ Within 3.1 mile of Lek	0	0	0	0
Category 5	No Existing Disturbance/ Outside 3.1 mile from Lek/ High or Medium RFD	0	0	0	0
Category 6	No Existing Disturbance/ Outside 3.1 mile from Lek/ Low RFD	0	0	0	0
Category 7	No Existing Disturbance/ Within 3.1 mile of Lek/ High or Medium RFD	0	0	0	0
Category 8	No Existing Disturbance/ Within 3.1 mile of Lek/ Low RFD	0	0	2 (763)	2 (763)
	TOTAL Nominated Parcels	0	0	2 (763)	2 (763)

Havre Field Office—14 parcels total					
<i>Category #</i>	<i>Category Reference</i>	<i>Total Number of Parcels (Acres)</i>			
Category 1	Legal Obligation	3 (529) (One of these parcels is in GHMA)			
Category 2	Non-Habitat	5 (762)			
<i>Category #</i>	<i>Category Reference</i>	<i>Total Number of Parcels Per Habitat Type (Acres)</i>			
		Restoration	General	Priority	Total
Category 3	Within Existing Disturbance/ Outside 3.1 mile from Lek	0	0	0	0
Category 4	Within Existing Disturbance/ Within 3.1 mile of Lek	0	5 (2,802)	0	5 (2,802)
Category 5	No Existing Disturbance/ Outside 3.1 mile from Lek/ High or Medium RFD	0	0	0	0
Category 6	No Existing Disturbance/ Outside 3.1 mile from Lek/ Low RFD	0	0	0	0
Category 7	No Existing Disturbance/ Within 3.1 mile of Lek/ High or Medium RFD	0	1 (560)	0	1 (560)
Category 8	No Existing Disturbance/ Within 3.1 mile of Lek/ Low RFD	0	0	0	0
	TOTAL Nominated Parcels	0	6 (3,362)	0	6 (3,362)

Malta Field Office—8 parcels total					
<i>Category #</i>	<i>Category Reference</i>	<i>Total Number of Parcels (Acres)</i>			
Category 1	Legal Obligation	1 (10)			
Category 2	Non-Habitat	4 (430)			
<i>Category #</i>	<i>Category Reference</i>	<i>Total Number of Parcels Per Habitat Type (Acres)</i>			
		Restoration	General	Priority	Total
Category 3	Within Existing Disturbance/ Outside 3.1 mile from Lek	0	1 (360)	0	1 (360)
Category 4	Within Existing Disturbance/ Within 3.1 mile of Lek	0	1 (451)	0	1 (451)
Category 5	No Existing Disturbance/ Outside 3.1 mile from Lek/ High or Medium RFD	0	0	0	0
Category 6	No Existing Disturbance/ Outside 3.1 mile from Lek/ Low RFD	0	1 (240)	0	1 (240)
Category 7	No Existing Disturbance/ Within 3.1 mile of Lek/ High or Medium RFD	0	0	0	0
Category 8	No Existing Disturbance/ Within 3.1 mile of Lek/ Low RFD	0	0	0	0
	TOTAL Nominated Parcels	0	3 (1,051)	0	3 (1,051)